

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

JOSHUA HUGO,)	
)	
Plaintiff,)	
)	
v.)	No. _____
)	Jury Demand
)	
MILLENNIUM LABORATORIES,)	(Removed from the Circuit Court of
INC.,)	Knox County, TN, No. 3-92-12)
)	
Defendant.)	

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1332, 1441 *et seq.*, Defendant, Millennium Laboratories, Inc. ("Millennium"), hereby provides notice of removal of this action.

1. This action was commenced on February 24, 2012 in the Circuit Court for Knox County, Tennessee styled Joshua Hugo vs. Millennium Laboratories, Inc., Case No. 3-92-12. A copy of all process and pleadings filed in the Circuit Court for Knox County, Tennessee, is attached hereto at Exhibit 1 pursuant to 28 U.S.C. § 1446(a).

2. A copy of the Complaint was served on Millennium on March 9, 2012. Millennium is filing this Notice of Removal within thirty (30) days after receiving notice of the Complaint.

3. This action should be removed on the basis of diversity of citizenship jurisdiction pursuant to 28 U.S.C. §1332 because Plaintiff alleges he is a resident

and citizen of the State of Tennessee, and Defendant is incorporated in the State of California and its principal place of business is at 16891 Via Tazon, Ste. F, San Diego, California 92127. Because Plaintiff also avers over \$75,000.00 in damages, this action is subject to removal pursuant to 28 U.S.C. §§ 1332 and 1441(a).

4. The venue of this removal action is proper pursuant to 28 U.S.C. §§ 1391(a) and 1441(a) in the United States District Court for the Eastern District of Tennessee, Knoxville Division, that embraces Knox County, Tennessee, where the state court action was originally filed.

5. Notice of Removal of this action has been served on Plaintiff through his counsel, Arthur F. Knight, III, Esq., Taylor & Knight, G.P., 800 South Gay Street, Suite 600, Knoxville, Tennessee, 37929, as reflected below and is being sent today for filing with the Clerk of the Knox County Circuit Court. A copy of the notice being filed in the Knox Circuit Court is attached at Exhibit 2 (without attachments).



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Attorneys for Defendant Millennium
Laboratories, Inc.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice has been served via First Class Mail upon:

Arthur F. Knight, III
Taylor & Knight, G.P.
800 South Gay Street, Suite 600
Knoxville, TN 37929

Attorney for Plaintiff

on this 5th day of April, 2012.


